

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Raquel Velasquez	Team: Squad #11	CCRB Case #: 201410639	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 10/08/2014 10:41 PM	Location of Incident: [REDACTED]	Precinct: 40	18 Mo. SOL 4/8/2016	EO SOL 4/8/2016	
Date/Time CV Reported Fri, 10/17/2014 1:48 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 10/17/2014 1:48 PM		
Complainant/Victim	Type	Home Address			
[REDACTED]	[REDACTED]	[REDACTED]			
Subject Officer(s)	Shield	TaxID	Command		
1. POM Logan Payano	00816	949458	044 PCT		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. SGT Kevin Grayson	02293	921393	044 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Logan Payano	Discourtesy: PO Logan Payano spoke discourteously to § 87(2)(b) [REDACTED]			[REDACTED]	

Case Summary

On October 8, 2014, at approximately 10:41 p.m., PO Logan Payano, from the 44th Precinct, arrested § 87(2)(b) for official misconduct and driving without a license at § 87(2)(b) in the Bronx. PO Payano allegedly spoke discourteously to § 87(2)(b) (Allegations A).

Mediation, Civil and Criminal Histories

This complaint was not mediation eligible. § 87(2)(b) has no prior criminal convictions (see Board Review 5). § 87(2)(b) filed a Notice of Claim on November 11, 2014, claiming negligence, recklessness, intentional conduct regarding force, false arrest and imprisonment and malicious prosecution, physical and psychological damage, conscious pain and suffering, loss of enjoyment of life, humiliation and embarrassment, and loss of liberty. § 87(2)(b) is asking for two million dollars as redress (see Board Review 4).

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) (see Board Review 6).
- PO Logan Payano has been a member of the service for 4 years and there are no substantiated CCRB allegations against him.

Findings and Recommendations

Explanation of Subject Officer Identification

PO Payano acknowledged interacting with § 87(2)(b)

Allegations Not Pleaded

- **Stop and Force:** These allegations are not being pleaded as § 87(2)(b) acknowledged riding on a quad, in violation of VTL 2405, and, although § 87(2)(b) sustained a shoulder injury, § 87(2)(b) acknowledged running away upon seeing PO Payano in the marked car. While fleeing, PO Payano grabbed her and pushed her against a wall to handcuff her.

Allegation A- PO Logan Payano spoke discourteously to § 87(2)(b)

§ 87(2)(b) stated that she was seated in a marked car when she asked PO Payano, who was standing outside of the marked car, why she was being arrested. PO Payano allegedly stated to § 87(2)(b) “You fucked up my day.” § 87(2)(b) asked what she had done. PO Payano replied, “You fucked up mine and I’m fucking yours.” (see § 87(2)(b) statement)

PO Payano stated that § 87(2)(b) was yelling and cursing at PO Payano and saying that he had arrested her for no reason. PO Payano did not respond and he denied making the alleged discourteous statement (see PO Payano’s statement and Board Review 3).

§ 87(2)(b), § 87(2)(g)

Pod: _____

Investigator: _____
Signature Print Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date